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In his application, Dr Silfverberg requests the suppression of *Phytobius* Schönherr, 1833, a replacement name for *Hydaticus* Schönherr, 1825 (non Leach, 1817), and the conservation of *Phytobius* Dejean, 1835, on the grounds that the latter has been the subject of a ruling by the Commission in 1989 (Opinion 1529) and has been placed on the Official List of Generic Names in Zoology. In his earlier application, Silfverberg (BZN 36: 252–256, 1980) overlooked the existence of *Phytobius* Schönherr, 1833, and with his new application is trying to correct this omission. Publication of the recent application coincided with our finalising a generic catalogue (Alonso Zarazaga & Lyal, in prep.) and our preparation of several applications to the Commission, one of these relating to the point raised in Case 2957.

Several important points are omitted from the Case, and we disagree with others.

1. Silfverberg presents three arguments for doubting whether Schönherr (1833) intended to replace his own name *Hydaticus*: (i) Schönherr attributed *Phytobius* to Schmidt; (ii) he gave no reason for replacing *Hydaticus*; and (iii) he provided a different type species from that of *Hydaticus*. The exact terms used by Schönherr (1833, p. 20) are: 'Genus 208. *Phytobius*. Schmidt.—*Hydaticus*. Nob. olim. Typus: *Phytob. velatus*. *Rhynch. id.* Beck.'. In Latin, 'Nob.' is an abbreviation of 'Nobis' ('of us', using the plural as a sign of modesty, thus 'of Schönherr'), the word 'olim' means 'formerly' and was the usual way Schönherr introduced replacement names, and the fact that he attributed the new name to another author (Schmidt) is likely to be either because Schmidt suggested the new name, or as recognition of Schmidt for pointing out the homonymy (as stated by Schönherr, [1835], p. 458). Schönherr (1833) does not give reasons for any taxonomic acts in his *Tabula Synoptica*, but presents these in the body of the text elsewhere in his *Genera et Species*

Curculionidum; in this case he refers ([1835], p. 458) to Leach's name having preoccupied the name *Hydaticus*. Schönherr was, of course, not acting in accord with rules not then created, and would have felt it appropriate to provide a new type species for a new name rather than perpetuate the type of *Hydaticus*. We cannot share Silfverberg's point of view that Schönherr's intention in introducing a replacement name is doubtful according to the Code, and share this view with other students of the group, who are using the name (see para. 4 below).

2. Dejean (1835, p. 282) listed *Phytobius* Schmidt with *Campylirhynchus* Dejean, 1821 as a junior synonym, including (among others) species previously placed by Schönherr (1825, col. 583) in *Hydaticus*, and heading the list with *velatus* Germar. The attribution to Schmidt, and the inclusion of *velatus*, suggest strongly that Dejean was using *Phytobius* in the sense of Schönherr (1833). This is borne out by Schönherr (1835, p. 458), who also included *Campylirhynchus* Dejean as a junior synonym of *Phytobius*. *Phytobius* Dejean, 1835 is therefore the same as *Phytobius* Schönherr, 1833 and *Phytobius* Schönherr, 1835. The type of *Phytobius* Schönherr, 1833 is correctly *Rhynchaenus myriophylli* Gyllenhal, 1813, since this was the type species of the replaced *Hydaticus*. Consequently, this is also the type of *Phytobius* 'Dejean, 1835', and the subsequent type designation by Thomson (1859) of *Curculio quadrituberculatus* Fabricius is incorrect.

3. O'Brien & Wibmer (1982, p. 175) pointed out the primacy of *Phytobius* Schönherr, 1833 over *Phytobius* Dejean, 1835 (but see para. 2 above), and were followed by Colonnelli (1986, p. 159) in his key and checklist of PHYTOBIIINI (a work omitted by Silfverberg, 1998). O'Brien & Wibmer (1984, p. 297) suggested that the correct name for *Phytobius* auctt. was *Pelenomus* Thomson, 1859 (p. 138), whose type species by original designation is *Curculio comari* Herbst, 1795. The catalogue produced by O'Brien & Wibmer (1982) is widely accepted as an authoritative source of correct nomenclature, so usage of names in that volume is likely to be perpetuated. Colonnelli (1986) more explicitly noted that *Phytobius* Dejean, 1835 was a junior homonym of *Phytobius* Schönherr, 1833, and also placed it in synonymy with *Pelenomus*, believing that *Phytobius* Dejean and *Phytobius* Schönherr, 1833 were different taxa.

4. *Phytobius* Schönherr, 1833 is in general use both in checklists (e.g. O'Brien & Wibmer, 1982; Morris, 1991; Abbazzi et al., 1994; Anderson, 1997; Morris, in prep.) and revisionary and other work (e.g. Colonnelli, 1986; Egorov, 1988; Creed & Sheldon, 1994), as is *Pelenomus* including some former members of *Phytobius* Dejean (e.g. O'Brien & Wibmer, 1982; O'Brien & Wibmer, 1984; Morris, 1991; Abbazzi & Osella, 1992; Dauphin, 1992; Abbazzi et al., 1995; Read, 1995; Anderson, 1997; Morris, in prep.).

5. Ruling in favour of the application would necessitate returning to the situation prior to O'Brien & Wibmer (1984), although workers on CURCULIONIDAE have accepted their point of view. The application, to be appropriate, should have been published soon after 1984 and not 14 years later after the new nomenclature has stabilised.

6. The family-group name PHYTOBIIINI Gistel, 1856 (p. 370; published as PHYTOBIIIDAE), which is the first available name for the tribe where both *Phytobius* Schönherr, 1833 and *Pelenomus* are currently placed, has as type genus *Phytobius* Schönherr, 1833, not *Phytobius* Dejean, 1835.

7. If the application is allowed, the tribal name would have to change either to (i) PHYTOBIINI Thomson, 1859 (published as Phytobiides Thomson, 1859, p. 138), type genus *Phytobius* Dejean, 1835, in the sense of *Curculio quadrituberculatus* as the type species. Colonnelli (1986) inadvertently treated *Phytobius* Dejean as a valid name, although, as pointed out in para. 2 above, *Phytobius* Dejean and *Phytobius* Schönherr, 1833 are the same taxon) or (ii) RHINONCINI Thomson, 1865 (published as Rhinoncides Thomson, 1865, p. 231), type genus *Rhinoncus* Schönherr, 1825 (col. 586; type species *Curculio pericarpus* Linnaeus, 1758, by subsequent designation by Westwood (1838, p. 38)). *Rhinoncus* Schönherr, 1825 was placed on the Official List by a ruling of the Commission (Opinion, 1529, 1989) where its type species designation was confirmed and placed on the Official List of Specific Names. However, this name is an objective synonym of *Cryptorhis* Billberg, 1820 (p. 43; type species designated by Wibmer & O'Brien, 1986, p. 276), an unused name which should have been presented for suppression, being a better candidate than *Phytobius* Schönherr, 1833.

8. We consider that the suppression of *Phytobius* Schönherr, 1833 would cause still more confusion, since it would involve changes in the family-group name or author, and therefore propose to keep the nomenclature as stabilized after 1984 (see Colonnelli, 1986).

9. The International Commission on Zoological Nomenclature is accordingly asked:

- (1) to use its plenary powers to delete the entry for *Phytobius* Dejean, 1835 from the Official List of Generic Names in Zoology;
- (2) to place on the Official List of Generic Names in Zoology the name *Phytobius* Schönherr, 1833 (replacement name for *Hydaticus* Schönherr, 1825) (gender: masculine), type species by original designation for *Hydaticus*. *Rhynchaenus myriophylli* Gyllenhal, 1813, a subjective synonym of *Curculio leucogaster* Marsham, 1802;
- (3) to place on the Official List of Specific Names in Zoology the name *leucogaster* Marsham, 1802, as published in the binomen *Curculio leucogaster*, valid name of the type species of *Phytobius* Schönherr, 1833;
- (4) to place on the Official Index of Rejected and Invalid Generic Names in Zoology the name *Hydaticus* Schönherr, 1825 (a junior homonym of *Hydaticus* Leach, 1817).

Additional references

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Although the above comments by Colonnelli and by Alonso Zarazaga & Lyal touch upon noteworthy aspects and should be considered in the Commission's final ruling, we should not be diverted from the main point, which is the status of the name *Phytobius* introduced by Schönherr in 1833. The commenters rely heavily on subsequent works by Schönherr. The Code points out in several places that every work is to be evaluated from its own contents and not from later additions to the matter. Whatever we can surmise about Schönherr's intentions, I do not think that what he actually published in 1833 (see the comments by Alonso Zarazaga & Lyal above) was within the Code's requirements for the introduction of a replacement name. Therefore his designation of *Rhynchaenus velutus* as type species would seem to be a valid definition for the genus, to be changed only by a ruling of the Commission.

My application was submitted to the Commission in November 1994, although not published in the *Bulletin* until March 1998, and included references to works and articles with different interpretations of this situation, among them Colonnelli (1986). For reasons of space such references were not printed with the application, but were available to the Commission and other readers. Since 1994 there have been a number of additional works, some of them using the names as interpreted by O'Brien & Wibmer (1982, 1984) and quoted by the commenters, others again using the names as entered on the Official Lists. We can see that the situation is confused.

Following my original application (BZN 36: 252–256, 1980) the name *Phytobius* Dejean, 1835 was placed on the Official List of Generic Names in 1989; up to that time no comments were made to the effect that the name had been published by Schönherr in 1833. Whatever the Commission's final decision on my present application (1998), we can at least hope that all workers who wish to contribute to the discussion have been able to do so. My personal opinion is that once a name has been placed on the Official List stability is best maintained if it can be expected to remain there, with the correction of any errors.